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		Filing Date		December 16, 2003	
		First Named Inventor		Bert KLEBL et al.	
		Art Unit		1632	
		Examiner Name		J. Hama	
Total Number of Pages in This Submission		5	Attorney Docket Number		DEAV2002/0089 US NP

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Date	April 14, 2005	Reg. No.	34,647

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of
Klebl et al.****Examiner: J. HAMA****RECEIVED
CENTRAL FAX CENTER****Application No.: 10/736,801****Art Unit: 1632****APR 14 2005****Filed: December 16, 2003****Title: METHOD FOR GENERATING A
GENETICALLY MODIFIED
ORGANISM****TELEFAX CERTIFICATE**

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AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action of February 24, 2005, the time to respond to which has been extended one month to April 24, 2005, the Applicants respond to the Restriction Requirement by provisionally electing to prosecute Group I, claims 1-21, directed to a method of a generating a genetically modified organism for drug screening comprising the steps of, *inter alia*, analyzing the modified gene expression (i.e., mRNA) pattern and identifying compensatingly differentially regulated genes. They respectfully disagree, however, that the restriction requirement dividing groups I and II is improper, and ask that the Examiner reconsider it.

The Examiner argues that Inventions I (the mRNA expression method) and II (the protein expression method) are unrelated because a method for generating a genetically modified organism for drug screening comprising a step for measuring mRNA expression is materially and methodically different from the same method wherein protein expression measured. The Examiner further states that Invention I does not depend on Invention II to function and vice versa.

The Examiner's restriction requirement ignores the fact that when protein expression analysis is measured, it is accompanied by mRNA expression analysis because mRNA